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COMMISSION ON HUMAN RIGHTS
Subcommission on Prevention of
Discrimination and protection of
minorities
Forty-seventh session
Item 15 of the provisional agenda

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Report of the Secretary-General

1. The question of the relocation of Navajo and Hopi families from northern Arizona in the United States of America was first addressed by the Subcommission in decisions 1987/110 of 4 September 1987 and 1988/105 of 1 September 1988. Pursuant to these decisions reports were prepared on the matter by Ms. Erica-Irene A. Daes and Mr. John Carey (E/CN.4/Sub.2/1989/35, part I and part II and Add.1). Further examination resulted in the adoption of resolutions 1989/37 of 1 September 1989 and 1990/34 of 31 August 1990. In the light of developments which took place with regard to this issue in 1994, the Subcommission adopted, without a vote, resolution 1994/44 of 26 August 1994.

2. In its resolution 1994/44 of 26 August 1994, the Subcommission recommended that members of the Navajo Nation and the Hopi Tribal Council participate in court-ordered mediation to seek a peaceful settlement of the situation, and appealed to the Government of the United States of America to ensure that no further relocation of these families took place. The Subcommission requested the mediator to submit all relevant information regarding the human rights aspects of the case in question and the outcome of the mediation. In addition, it requested the Secretary-General to invite indigenous peoples' organizations, Governments and non-governmental organizations to submit information concerning the progress of the court-ordered mediation for consideration by the Subcommission at its forty-seventh session.

3. Pursuant to the above, letters transmitting Subcommission resolution 1994/44 and the requests contained therein were sent on 27 March 1995 by the Centre for Human Rights to the mediator, the Permanent Mission of the United States of America to the United Nations Office at Geneva, the Hopi Tribal Council, the Navajo Nation, and the Indian Law Resource Center, a non-governmental organization which previously had shown a particular interest in the case. To date no replies have been received and therefore no further information is available regarding the case of the relocation of the Navajo and Hopi families.

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